



## **"The City With a Heart"**

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Rick Biasotti, *Chair*  
Perry Petersen, *Vice Chair*  
Mary Lou Johnson  
Sujendra Mishra  
Kevin Chase  
Joe Sammut  
Bob Marshall, Jr.

### **MINUTES PLANNING COMMISSION MEETING**

**June 18, 2013**

**7:00 p.m.**

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

**CALL TO ORDER at 7:00 pm.**

#### **ROLL CALL**

	<u><b>Present</b></u>	<u><b>Absent</b></u>
<b>Chair Biasotti</b>	<b>X</b>	
<b>Vice Chair Petersen</b>	<b>X</b>	
<b>Commissioner Sammut</b>	<b>X</b>	
<b>Commissioner Marshall</b>	<b>X</b>	
<b>Commissioner Mishra</b>	<b>X</b>	
<b>Commissioner Chase</b>	<b>X</b>	
<b>Commissioner Johnson</b>	<b>X</b>	

#### **STAFF PRESENT:**

Planning Division: Community Development Director: David Woltering  
Associate Planner: Laura Russell  
Assistant Planner: Matt Neuebaumer

Pledge of Allegiance: Commissioner Chase

#### **1. Approval of Minutes – May 21, 2013**

**Motion to Approve Minutes of May 21, 2013 Planning Commission meeting.**

**Chase/ Mishra**

**VOTE:** 6-0  
**AYES:** Chair Biasotti, Vice-Chair Petersen and Commissioners Marshall, Johnson, Chase, and Mishra  
**NOES:** None  
**ABSTAIN:** Commissioner Sammut (He was not present at the meeting.)

**2. Communication**

E-Packets are available on line at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov)

**3. Public Comment** None

**4. Announcement of Conflict of Interest** None

**5. Public Hearings**

**A. 101 Balboa Way**

**Request for a Use Permit to allow an addition which increases the gross floor area of the existing home by greater than 50% (75%) per Section 12.200.030.B.1 of the San Bruno Municipal Code. Blair Barry (Applicant) & Steve and Angela Sanchez (Owners) UP-13-007.**

*Associate Planner Russell:* Entered staff report.

Staff recommends that the Planning Commission approve Use Permit 13-007 based on Findings of Fact 1-7 and Conditions of Approval 1-24.

*Chair Biasotti* asked Commission if there were any questions for staff.

None.

*Steve Sanchez; Applicant:* We have been in our home for ten years. Our family needs additional space. I have spoken with my neighbors in the cul-de-sac and they were in favor of the addition. I am available for any questions you may have.

*Commissioner Johnson:* The garage is remaining a one car garage. Was there any thought of adding a two car garage?

*Steve Sanchez; Applicant:* We did make the garage larger to accommodate our storage needs.

Public Comment Opened.

None.

Public Comment Closed.

**Motion to approve Use Permit 13-007 based on Findings of Fact (1-7) and Conditions of Approval (1-24).**

**Commissioner Mishra/ Chase**

VOTE: 7-0

AYES: All Commissioners Present.

NOES: None

ABSTAIN: None

**Chair Biasotti advised of a 10-day appeal period.**

**Findings of Fact**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.

2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given its quality architectural features and its general conformance to a majority of regulations as set forth in the Municipal Code.
3. The proposed development will be consistent with the general plan.
4. The proposed development, as set forth on the plans, and with recommendations by staff, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.
6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.
7. That any proposed single-family or two-family dwelling conforms to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time.

### **CONDITIONS OF APPROVAL**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 13-007 shall not be valid for any purpose. Use Permit 13-007 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date. The signed copy of the Summary of Hearing shall be photocopied and included on a full size page in the Building Division set of drawings.
2. The request for a Use Permit shall be built according to plans approved by the Planning Commission on June 18, 2013 labeled Exhibit C except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.

6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the California Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
7. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.
8. Prior to Final Inspection, 15% of the site shall be landscaped and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director. No more than 80% of the lot shall consist of impervious surfaces.
9. The developer shall indemnify, defend, and hold harmless the city, its officers, employees and agents, from any and all claims and lawsuits from third party(s) involving or related to the city's consideration and/or approval of the developer's application for development.
10. Please note that the front property line is located 5.5 feet behind the sidewalk at 101 Balboa Way. No fences, retaining walls, or other permanent structure shall be placed or constructed within 5.5 feet from back of sidewalk along Linden Avenue. S.B.M.C. 8.08.010.
11. The Applicant shall provide flow line diagrams for cold water lines, hot water lines, gas lines, and sanitary sewer lines to include all existing and proposed systems in accordance with the applicable California Building Code 2010.
12. An Encroachment Permit from Public Services Department is required prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010. The Encroachment Permit shall be issued prior to issuance of a building permit.
13. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all location where there are any raised or offset concrete sections greater than or equal to 3/4 -inch. S.B.M.C. 8.12.010.
14. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on Balboa Way per S.B.M.C. 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks and Recreation Services for any new street tree.
15. If not present, the applicant shall install a sanitary sewer lateral clean-out at property line per City standards detail SS-02 dated August 2011. Older clean outs not meeting current city standards shall be replaced.
16. Paint address number on face of curb near driveway approach. Lettering shall be black, 4 inches or larger, and painted on a white background. Indicate the location of the address numbers on the site plan.
17. An Erosion control plan and storm water pollution prevention plan required. The plan must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform to the current NPDES requirements. S.B. Municipal Code 12.16.020.

18. Storm water from new and existing roof down spouts and other on-site drainage, shall be collected and drained into landscaping or collected through an under sidewalk curb drain to the gutter per City standards detail ST-03. Foundations shall be protected from storm water. Drainage into adjacent properties shall not be allowed. Indicate any pipes, swales, or applicable ground percolation treatments as necessary.
19. The building permit plans shall include a site plan that shows all property lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.MC. 12.16.020
20. Perform water demand calculation based on the requirements in Chapter 6 of the California Plumbing Code to confirm that the existing ¾ inch water meter service is sufficient to serve proposed water demand. If existing meter is undersized, a new meter is required. Applicant shall pay water and sewer capacity charges based on the size of the water meter installed along with materials and installation of an upgraded water meter. S.B.M.C. 10.14.020/110. Indicate on the plans the location of the existing water meter and the available water pressure at the property.
21. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
22. Provide hard-wired smoke detectors with battery backup as required by building code.
23. Provide spark arrester for chimney if not currently in place.

#### **B. 1999 Earl Avenue**

**Request for a revision to a previously approved Temporary Use Permit to allow the expansion of an off-site construction staging area within the Crestmoor neighborhood per Section 12.84.030 of the San Bruno Municipal Code. City of San Bruno (Applicant), City of San Bruno (Owner); State of California (Owner) TUP-13-002.**

*CDD Director Woltering:* Entered staff report.

Staff recommends that the Planning Commission **approve** the revision to Temporary Use Permit 13-002 based on Findings of Fact (1-3) and Conditions of Approval (1-10) from the staff report with the addition of a new condition 11 as follows: The applicant shall maintain a minimum of a 30' setback from the residential properties on Estates Drive and a minimum of 30' from the sidewalk along Glenview Drive on the CalTrans storage and staging area.

*Chair Biasotti* asked Commission if there were any questions for staff.

*Commissioner Marshall:* The upper section of the CalTrans parking lot is being rented by the Church of the Highlands. Are they going to continue to utilize that lot?

*CDD Director Woltering:* The area closest to the intersection will be used.

*Commissioner Marshall:* Which intersection are you referring to?

*CDD Director Woltering:* The intersection of Glenview Drive and San Bruno Avenue West.

*Commissioner Marshall:* That is the lot that the members of the Church of the Highlands use and the residents park at to use the walking trail.



*CDD Director Woltering:* I am sure the City will accommodate the residents and coordinate with the members of the church.

*Commissioner Marshall:* I would like to make sure that parking area is not taken away from the residents.

*CDD Director Woltering:* That is not the intent.

*Commissioner Marshall:* There is no fencing at the firehouse, will there be a residential buffer zone?

*CDD Director Woltering:* The focus of the extension of the TUP is for the CalTrans property.

*Commissioner Marshall:* Does the applicant need all of that space near the firehouse? It feels intrusive to the neighboring home.

*CDD Director Woltering:* Staff was informed the applicant needed more space. The applicant indicated that they need the fire station site as well as this proposed site and the expanded area associated with this site.

*Commissioner Marshall:* If this proposal includes the chain link fence, I think the firehouse site should include a fence as well.

*CDD Director Woltering:* If it is your desire to ask for fencing on the other site, you can certainly do that. We would work with the contractor to ensure that happens.

*Commissioner Johnson:* What is the proposed length of time for the TUP?

*CDD Director Woltering:* The TUP is proposed for a one-year period through 2014, commencing from the original date in April.

*Commissioner Mishra:* What standards does Condition of Approval #10 reference? NPDES?

*CDD Director Woltering:* Yes, it references the City's standards for NPDES.

*Commissioner Mishra:* We should add that language so that it is clear. Secondly, I support adding the fence on the additional property as well. Is there a lighting requirement if the lot is fenced off?

*CDD Director Woltering:* There is not a lighting requirement. The site will be fenced and secured.

*Commissioner Chase:* It is a large area, how will the security be monitored?

*CDD Director Woltering:* The site will be fenced, therefore secured. There will not be onsite security patrolling the site. I am sure if there is an issue, the police will be called to respond. If it becomes an issue, I believe the applicant would re-evaluate the issue.

*Commissioner Chase:* Will there be a job site trailer on this site?

*CDD Director Woltering:* It is a staging area. I do not anticipate the applicant proposing a job site trailer. The job site materials and vehicles will be stored on the lots after construction hours.

*Commissioner Johnson:* I have lived near this area for many years and it has been used for construction staging by Caltrans in the past. I have not viewed or been informed of vandalism or other acts of crime in the area.

*Vice Chair Petersen:* Condition of Approval #5 discusses the removal of on-site trash and debris on a daily basis. Is it correct to say that statement does not include debris boxes?

*CDD Director Woltering:* I think it is correct to assume that.

*Vice Chair Petersen:* Can you add that language to the condition?

*CDD Director Woltering:* We could.

Public Comment Opened.

*Leo Martinez; Resident:* I am an owner and resident on Estates Drive. I support the on-site storage, however, I would like to request that the thirty foot setback be pushed back farther to the back of the lot. The other lot is currently an eyesore; we do not want another eyesore just thirty feet from the sidewalk. I think the neighborhood has gone through enough and I would like to minimize the amount of eyesore for properties.

*Anwar Hanhan; Resident:* I also feel the thirty-foot setback is not sufficient. When my kids play in the yard they will view all of the construction material and hear all of the noise generated. Will there be any flammable products onsite?

*CDD Director Woltering:* The site would contain the storage of vehicles and construction materials such as pipes. I would not imagine there would be flammables stored on-site. Our intent is to make this site safe. The hours of construction are Monday through Friday, 8:00 A.M. to 5:00 P.M. and site would be utilized for storage in the evenings and weekends.

*Tom Mann; Resident:* My wife and I use the San Andres trail located in this area. We walk the trail twice per day in the morning and in the evening. The many residents who walk that trail on a daily basis park in that parking lot. I would like to know what type of accommodations you intend to provide. That is a public area and I believe it is State land. The people that use the trail would like to have guaranteed parking. Where are we supposed to park if you close off this lot? This is the safest place for residents to park. Until you can prove otherwise, leave the parking area accessible to the public. Does anyone know where the parking accommodations are going to be?

*CDD Director Woltering:* The parking lot for the trail is in a different area. I will ask our Associate Planner Laura Russell to describe where that is.

*Associate Planner Russell:* The property is owned by CalTrans and has a long-term lease with the Church of the Highlands, which provides that parking area as a public benefit. Exhibit A in the staff report provides a more visual detail on the location of the staging area. The area closest to the corner of San Bruno Avenue and Glenview Drive would not be used for staging and would remain as parking.

*Commissioner Marshall:* We could add a condition of approval that the existing parking for the Church of the Highlands and the trail remain available for the public.

*CDD Director Woltering:* We can certainly add that condition. I think it would give the gentleman who spoke more assurance that the access and parking for the trail users will be provided and preserved.

*Leslie; Millbrae Resident:* In regards to 101 Balboa, I wanted to find out how high the addition would be.

*Chair Bioasotti:* That agenda item has been closed. Staff can address your comment after the meeting.

Public Comment Closed.

*Vice Chair Petersen:* Will the thirty-foot buffer be defined as an area that the contractors will be forbidden to use for vehicular or foot traffic?

*CD Director Woltering:* Yes, that is correct.

*Vice Chair Petersen:* I think the language should be more clarifying. Contractor access for any purpose should be forbidden. For example, they should not be able to unload a truck over the fence.

*Chair Biasotti:* I would also like to add a condition that the contractor be held responsible for keeping the site clear and maintained of vegetation, weeds, flammable materials, and debris to address the concern about safety or fire.

*Vice Chair Petersen:* Two members of the public stated that they felt the thirty-foot buffer area was not sufficient. I would like to ask staff if the buffer can be changed to forty-five feet?

*CDD Director Woltering:* The forty-five feet should work. It will reduce the area proposed for storage use, but perhaps the storage area can expand in the other direction away from the homes.

*Vice Chair Petersen:* I would propose to the Commission that they consider this change.

*Commissioner Mishra:* On page 8 of the staff report shows shrubs within the forty-five foot setback that we are asking for. Is the intent to remove that vegetation or to leave them there?

*Chair Biasotti:* I am more concerned with dry grass and weeds. The shrubs should remain.

**Motion to approve a revision Temporary Use Permit 13-002 based on Findings of Fact (1-3) and Conditions of Approval (1-10) in the staff report with a revision to Condition 10 and new Conditions 11-14.**

**Commissioner Petersen/ Marshall**

VOTE: 7-0  
 AYES: All Commissioners Present.  
 NOES: None  
 ABSTAIN: None

**Chair Biasotti advised of a 10-day appeal period.**

**FINDINGS OF FACT**

1. The proposed use will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The proposed use will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city.
3. The proposed use will be consistent with the general plan.

**CONDITIONS OF APPROVAL**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, the revision to Temporary Use Permit 13-002 shall not be valid for any purpose. Temporary Use Permit 13-002 and its revisions shall expire on April 16, 2014.
2. The request for an expanded temporary construction staging area shall be operated according to plans approved by the Planning Commission on June 18, 2013, labeled Exhibit C, except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. The storage yard entryway on Glenview Drive shall be decomposed granite or other rock that will prevent soil tracking onto Glenview Drive.
4. At all times, the storage yard gates shall be secured due to potentially high winds in the neighborhood.
5. The applicant shall maintain the construction staging area in a clean and orderly condition. Any trash, dirt, and debris shall be cleaned and removed on a daily basis and cannot be stored on-site. It should be noted that this includes no storage or use on-site of a debris box.



6. The applicant shall not perform any maintenance of equipment at the subject site.
7. The applicant shall remove all equipment and materials and thoroughly clean the staging area and any immediate properties affected by dust or debris within 14 days of the contract notice of substantial completion.
8. Loose material storage shall be covered with a tarp at all times and located at the southern end of the new storage yard only. Contractor shall use all best practices consistent with BAAQMD to minimize dust impacts to nearby residential properties (New Condition as part of Revision to TUP13-002 and applicable to all storage facility sites).
9. The applicant shall repair any damage to the parking lot at 1999 Earl Avenue in the area used for construction staging at the end of construction.
10. The applicant shall comply with all best management practices for stormwater prevention as required by the National Pollutant Discharge Elimination System (NPDES) Permit.
11. The applicant shall maintain a minimum of a 45' setback from the residential properties along Estates Drive and a minimum of a 45' setback from the sidewalk along Glenview Drive for the staging and storage area on the CalTrans property. The applicant shall not utilize the setback area for unloading or as a secondary access to the staging area. Access shall be through the designated driveway on Glenview Drive.
12. The parking area at the corner of Glenview Drive and San Bruno Avenue shall remain available for residents that use the nearby trail and for Church of the Highlands.
13. The applicant shall be responsible for keeping the 45' setback areas clear of weeds and debris and maintained in a fire safe manner.
14. The applicant shall install fencing consistent with that proposed for the Caltrans property to enclose the staging and storage area approved at Fire Station No. 52.

## 6. Discussion

**A. City Staff Discussion:** Commissioners Sammut, Biasotti, and Marshall volunteered for the July 11, 2013 Architectural Review Committee meeting.

**B. Planning Commission Discussion:**

Commissioner Marshall: Can you provide an update on what is going on in Mills Park Shopping Center where the old Lions used to be located?

CDD Director Woltering: As you recall, the Melaka Restaurant was removed from this location. One of the conditions for removal was that they provide perimeter landscaping to soften the site. We expect the property to be left vacant for quite some time. We are expecting the landscaping and irrigation system to be completed sometime in July. Subsequently, they will try to lease the property in some manner.

Chair Biasotti: Laura, would you like to report on the Architectural conditions you found while in Italy?

Associate Planner Russell: I found the Architectural conditions to be amazing and overwhelming and thoroughly enjoyable. I enjoyed going away and certainly happy to be home. Thank you for asking.

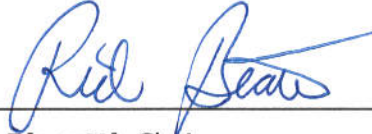
## 7. Adjournment

Meeting was adjourned at 7:46 pm



**David Woltering**

Secretary to the Planning Commission  
City of San Bruno



**Rick Biasotti**, Chair  
Planning Commission  
City of San Bruno

**NEXT MEETING: July 18, 2013**